

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

THE CITY OF HUNTINGTON,

Plaintiff,

CIVIL ACTION NO. 3:17-01362

v.

Hon. David A. Faber

**AMERISOURCEBERGEN
DRUG CORPORATION, et al.,**

Defendant.

CABELL COUNTY COMMISSION,

Plaintiff,

CIVIL ACTION NO. 3:17-01665

v.

Hon. David A. Faber

**AMERISOURCEBERGEN
DRUG CORPORATION, et al.,**

Defendant.

ORDER REGARDING THIRD-PARTY DISCOVERY DISPUTES

The undersigned sets forth the following procedure regarding discovery disputes involving third-parties that have been referred to the Special Master. To ensure continuity and timely review of Discovery Disputes involving third-parties, the following procedures shall apply:

1. Once a discovery dispute has been referred to the Special Master, the interested parties shall meet and confer in a good faith effort to resolve the dispute.
2. If the dispute is not resolved:
 - a. A written response in opposition to the motion shall be filed **no later than 7 business days** after submission of the motion; and
 - b. Any written reply in further support of the motion shall be filed **no later than 4 business days** after submission of the written opposition to the motion.

All papers shall be submitted to Special Master Wilkes and served by email upon all counsel. Upon completion of the briefing schedule set out above, the moving party shall provide hard copies of all submissions by overnight mail or courier to:

Christopher Wilkes
273 Shireoaks Dr.
Martinsburg, WV 25403

The Special Master will notify the parties if he would like oral argument on any motion. In such case, the moving party shall arrange for a court reporter and for any telephonic hearing to be recorded and later transcribed.

It shall be the responsibility of the party seeking information from the third party to inform them of this procedure.

It is so ORDERED:

Date: April 27, 2020



David A. Faber
United States District Judge